

Appl. No.: 10/617,477
Response to Official Action mailed December 14, 2004

REMARKS/ARGUMENTS

Upon entry of the instant amendment, claims 1-3, 5, and 7-14 are pending. Claims 4, 6, and 15-21 have been cancelled. The Applicant notes with appreciation the allowance of the subject matter in claims 9 and 10. These claims 9 and 10 have been converted to independent form to include all of the limitations of the base claim as well as any intervening claims. Also, minor errors were corrected in claim 9. In particular, claim 9 has been corrected to indicate that the trough has the c-shape and not the light source. As such, claims 9 and 10 should be allowable. Claims 4 and 6 have been cancelled and claims 1-3, 7, 8, and 11-14 have been amended to more particularly point out the Applicant's invention. It is respectfully submitted that upon entry of the instant amendment and consideration of the remarks herein, the application is in condition for allowance.

CLAIM REJECTIONS – 35 U.S.C. § 102

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Horgan, et al., U.S. Patent No. 5,791,758. In order for there to be anticipation, each and every one of the elements must be disclosed in a single reference. It is respectfully submitted that claim 1, as amended, discloses elements clearly not disclosed or suggested by the Horgan, et al. patent. For example, the claims now recite a poker table which defines a plurality of player stations and a dealer station. Claims 1 and 3 also recite a light source that is configured to project light upwardly relative to the playing surface. Neither of these elements is disclosed or suggested in the Horgan, et al. patent. For example, Horgan discloses a fiber optic light disposed against the rail of a pool table between the ball return sockets. As best illustrated in Fig. 2 of the Horgan, et al. patent, the fiber optic cable 3 is disposed at the playing surface and a vertical side

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wall that slopes inwardly toward the center of the table, thus forming an overhang. Thus, it should be clear that since the fiber optic cables are disposed under the overhang that the light from such fiber optic cables would be unable to project light above the table. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Claims 1-8, 11 and 12 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Shirley, Jr., U.S. Patent No. 5,653,640. In order for there to be anticipation, each and every one of the elements of the claims must be found in a single reference. It is respectfully submitted that the claims recite subject matter clearly not disclosed or suggested by the Shirley, Jr. patent. As mentioned above, the claims at issue recite a poker table (as opposed to a pool table) as well as a light source configured to project light upwardly relative to the playing surface of the poker table. The Shirley, Jr. patent discloses a pool table which includes a transparent peripheral bumper for projecting light onto the playing surface. As best illustrated in Fig. 3 of the Shirley, Jr. patent, a fiber optic cable 50 is disposed behind the transparent bumper 46. A plurality of bulbs 48 are used as a light source for the fiber optic cable 50. Since the transparent bumper is vertically disposed, it would not be able to project light upwardly relative to the playing surface. For this reason and the above reasons, the Examiner is respectfully requested to reconsider and withdraw the rejections of these claims.

Claim 1 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Vasalech, U.S. Patent No. 5,941,778. As mentioned above, in order for there to be anticipation, each and every one of the elements of the claims must be found in a single reference. It is respectfully submitted that the claims recite elements clearly not disclosed or suggested in the Vasalech patent. For example, the claims recite a poker table and light source for projecting light upwardly relative to the playing surface. The Vasalech patent relates to a billiard table with luminescent surfaces. Such luminescent surfaces are "glow in the dark" surfaces. It is

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respectfully submitted that luminescent surfaces disclosed in the Vasalech patent do not meet the claim limitations with respect to a light source. For these reasons and the above reasons, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Claims 1, 2, 7, and 13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Chao, et al., U.S. Patent No. 3,926,439. In order for there to be anticipation, each and every one of the elements of the claims must be found in a single reference. It is respectfully submitted that the claims recite various elements not disclosed or suggested by the Chao, et al. patent. For example, the claims recite a poker table having a solid, horizontal surface defining a solid playing surface. The claims also recite that the game table is a poker table. The Chao, et al. patent discloses an illuminated game table which relies on a transparent playing surface. In that sense, the Chao, et al. patent teaches away from the invention. For these reasons and all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw these rejections.

Claim 1 has been rejected under 35 U.S.C. § 102(e) as being anticipated by Murrey, et al., U.S. Patent Application Publication No. US 2004/0067796 A1. In order for there to be anticipation under 35 U.S.C. § 102(e), each and every one of the elements of the claims must be found in a single reference. It is respectfully submitted that the claims recite subject matter clearly not disclosed or suggested by the Murrey, et al. reference. For example, the claims recite a light source configured to project light upwardly relative to the playing surface. The Murrey, et al. reference teaches away from such configuration. Indeed, as clearly shown in Fig. 1 of the Murrey, et al. reference, the light is used to project onto the floor. Accordingly, for this reason and the above reasons, the Examiner is respectfully requested to reconsider and withdraw this rejection.

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CLAIM REJECTIONS – 35 U.S.C. § 103

Claim 8 has been rejected as being unpatentable over the Chao, et al. patent in view of Orenstein, U.S. Patent No. 5,451,054. As discussed above, the Chao, et al. patent teaches away from the invention recited in the claims at issue. In particular, the Chao, et al. patent teaches the use of a transparent playing surface with a light disposed therebeneath. The invention recited in the claims at issue disclose a solid playing surface. As mentioned above, the Chao et al. patent teaches away from the invention recited in the claims at issue. The Orenstein patent, likewise, discloses a poker table, but does not disclose an integral light source at all. For these reasons and all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Respectfully submitted,

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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875Application of Ombudsman
320400 00004**APPLICATION AS FILED - PART I**

(Column 1)

(Column 2)

SMALL ENTITY

OR

**OTHER THAN
SMALL ENTITY**

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (d), or (e))	N/A	N/A
SEARCH FEE (37 CFR 1.16(a), (b), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(a), (b), or (d))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(f))	minus 20 =	21
INDEPENDENT CLAIMS (37 CFR 1.16(n))	minus 3 =	3
APPLICATION SIZE FEE (37 CFR 1.16(s))	<p>If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p>	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i))		

RATE (\$)	FEE (\$)
N/A	
N/A	
N/A	
x =	0
x =	0
N/A	
N/A	
TOTAL	0

RATE (\$)	FEE (\$)
N/A	
N/A	
N/A	
x =	
x =	
N/A	
N/A	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

**OTHER THAN
SMALL ENTITY**

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(f))	14	minus 20 =	0
Independent (37 CFR 1.16(n))	1	minus 3 =	0
Application Size Fee (37 CFR 1.16(g))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

RATE (\$)	ADDITIONAL FEE (\$)
x 0 =	0
x 0 =	0
N/A	
TOTAL ADD'L FEE	0

RATE (\$)	ADDITIONAL FEE (\$)
x =	
x =	
N/A	
TOTAL ADD'L FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(f))	12	minus 20 =	0
Independent (37 CFR 1.16(n))	3	minus 3 =	0
Application Size Fee (37 CFR 1.16(g))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

RATE (\$)	ADDITIONAL FEE (\$)
x 0 =	0
x 0 =	0
N/A	
TOTAL ADD'L FEE	0

RATE (\$)	ADDITIONAL FEE (\$)
x =	
x =	
N/A	
TOTAL ADD'L FEE	

- * If the entry in column 1 is less than the entry in column 2, enter "0" in column 3.
- ** If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, enter "20".
- *** If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, enter "3".
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This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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